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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,286	10/28/2003	Yuichiro Itakura	U000-P03191US	3954
33356 7590 08/09/2007 SoCAL IP LAW GROUP LLP 310 N. WESTLAKE BLVD. STE 120 WESTLAKE VILLAGE, CA 91362			EXAMINER HUYNH, BA	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 08/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/695,286

Applicant(s)

ITAKURA ET AL.

Examiner

Ba Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/117,331.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #5,386,504 (Yoda et al).

- As for claims 1, 16, 17: Yoda et al (hereinafter Yoda) teach an information display system and corresponding method comprising the means/steps of:
information components connected in a network, communication line connected to the information components (19:25-27); a display; and a display controller which receives an active image and a passive image from the information provider through the communication line and displays the active image and the passive image in separate areas of the display (fig. 1, 18:25-19:15). Yoda fails to clearly teach that the information component being a service provider, however suggests that Yoda's invention can be implemented in various way (19:25-29). It would have been obvious to one of skill in the art, at the time the invention was made, to implement Yoda's teaching to communicate with a service provider to receive service from the provider.

- As for claim 2: Yoda teaches the information display system as recited, wherein the display controller displays the passive image in the front of the display (fig. 26; 19:8-15).
- As for claim 3: Yoda teaches the information display system as recited, wherein the display controller displays the whole passive image within the display (fig. 26).
- As for claims 4, 18: Yoda teaches the information display system as recited, further comprising a detector which detects whether or not an image processing status is being successfully completed or failure (11:10-18), whether an abnormal condition exist (7:62-66, 8:31-43, 16:20-27, 18: 40-43) and a notifier which provides a notice of the successful/failure status or abnormal condition (11:16-18, 18:49-54). Yoda fails to explicitly teach detecting whether the passive image is in normal status wherein normal status being a condition where the passive image is displayed in the front of the display and the whole passive image is displayed within the display. However, it would be readily apparent to one of skill in the art that failing to display the error message wholly in topmost position is a failure of image processing and is an indication of abnormality. Thus it would have been obvious to one of skill in the art, at the time the invention was made, to further implement the detecting the status of the passive message (error message), and notifying the status of the passive message to the user.

- As for claims 5, 19: In view of the rejection set forth in claim 4, the notifier displays the notice on the display as similar to figure 26.
- As for claims 6, 7, 9, 20: Yoda teaches the invention as recited, wherein the active image can be updated; the information display system further comprising a display delayer which delays updating the active image when the detector detects the status as being not normal (abstract, 8:14-21, 9:50-62, 14:12-20). Yoda fails to explicitly teach that the detector detects the status of the passive image after a predetermined amount of time from the provision of the notice. However since time must be allowed for processing delay; it appears that detecting the status of the passive image after a predetermined amount of time is implicitly included in Yoda. Even if it is not it would have been obvious to one of skill in the art, at the time the invention was made, to implement the detecting the status of the passive image after a predetermined amount of time to Yoda. Motivation of the combining is for allowing processing time delay.
- As for claim 8: Yoda fails to clearly teach the communication disconnecter which disconnects the communication between the information provider and the terminal when the detector detects the status as being not normal after a predetermined period of time from the time when the suspender suspends updating the active image. However it would have been obvious to one of skill in the art, at the time the invention was made, to implement the disconnection from the service provider after the predetermined amount of time to Yoda. Motivation of the combining is for saving system resource.

- As for claim 10: Yoda teaches an information display system as recited, wherein the display delayer delays updating the active image by delaying transmission of the active image from the display information provider to the terminal (5: 49-52, 8:14-21, 30-38).
- As for claim 11: Yoda teaches the information display system as recited, further comprising means for canceling the delay of the display delayer when the detector detects normal status after the display delayer delays the update (13:61-65). Yoda fails to explicitly teach that the detector detects the normal status after a predetermined amount of time from the provision of the delay. However since time must be allowed for processing delay, it appears that detecting the normal status after a predetermined amount of time is implicitly included in Yoda. Even if it is not it would have been obvious to one of skill in the art, at the time the invention was made, to implement the detecting the normal status image after a predetermined amount of time to Yoda. Motivation of the combining is for allowing processing time delay.
- As for claims 12, 14: Yoda teaches the information display system as recited, further comprising a detector which detects whether or not an image processing status is being successfully completed or failure (11:10-18), whether an abnormal condition exist (7:62-66, 8:31-43, 16:20-27, 18: 40-43) and a notifier which provides a notice of the successful/failure status or abnormal condition (11:16-18, 18:49-54). Yoda fails to explicitly teach detecting whether the passive image is in normal status wherein normal status being a condition

where the passive image is displayed in the front of the display and the whole passive image is displayed within the display. However, it would be readily apparent to one of skill in the art that failing to display the error message wholly in topmost position is a failure of image processing and is an indication of abnormality. Thus it would have been obvious to one of skill in the art, at the time the invention was made, to further implement the detecting the status of the passive message (error message), and notifying the status of the passive message to the user. Yoda teaches a display suspender which suspends updating the active image when the detector detects that the passive image is not in normal status (abstract, 8:14-21, 9:50-62, 14:12-20).

- As for claim 13: Yoda teaches the information providing system as recited, wherein the display suspender suspends updating the active image by terminating the normal transmission of active images from the display information provider to the terminal (abstract, 8:14-21, 9:50-62, 14:12-20).
- As for claim 15: Yoda teaches the information display system as recited, further comprising a detector which detects whether or not an image processing status is being successfully completed or failure (11:10-18), whether an abnormal condition exist (7:62-66, 8:31-43, 16:20-27, 18: 40-43) and a notifier which provides a notice of the successful/failure status or abnormal condition (11:16-18, 18:49-54). Yoda fails to explicitly teach detecting whether the passive image is in normal status wherein normal status being a condition where the passive image is displayed in the front of the display and the whole

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passive image is displayed within the display. However, it would be readily apparent to one of skill in the art that failing to display the error message wholly in topmost position is a failure of image processing and is an indication of abnormality. Thus it would have been obvious to one of skill in the art, at the time the invention was made, to further implement the detecting the status of the passive message (error message), and notifying the status of the passive message to the user. Yoda fails to clearly teach the communication disconnecter which disconnects the communication between the information provider and the terminal when the detector detects the status as being not normal after a predetermined period of time from the time when the suspender suspends updating the active image. However it would have been obvious to one of skill in the art, at the time the invention was made, to implement the disconnection from the service provider after the predetermined amount of time to Yoda. Motivation of the combining is for saving system resource.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ba Huynh
Primary Examiner
AU 2179
8/5/07

BA HUYNH
PRIMARY EXAMINER